Collaborative Governance for River Basin Management

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Abstract

Governance can be defined as the methods by which power is exercised, how citizens are given a voice, and how decisions are made on issues of public concern. In hierarchical governance systems, decisions are made in a "top-down" fashion, often with incomplete information and with little or no consideration for the needs of all parties affected. Collaborative governance represents an innovative way of making decisions that overcomes jurisdictional constraints and breaks down the barriers between otherwise isolated decision making processes.

Since 1997, a non-profit organization, the Fraser Basin Council, has employed a unique model of collaborative governance for cooperative management of a major river basin. The Fraser Basin Council model is inherently transparent, inclusive and accessible, and brings all the sectors of society together in a respectful environment as a diverse group of equal partners. It also acknowledges First Nations as a 4th order of government, actively promotes integrated consideration of social, economic and environmental dimensions in decision-making, and the use of the best available information to guide decisions.

This paper presents the Fraser Basin Council's collaborative governance model and the lessons learned by the Council in using this model to address complex real-world sustainability challenges in the Fraser Basin such as integrated flood hazard management, strengthening communities and sustainable fisheries.

Thank you for the opportunity to share some of my experience in what I call **collaborative governance**. Time is limited, so I'll get right to the heart of the matter.

Governance is about how we exercise power—about making decisions on issues of public concern. In the hierarchical model, decisions flow top down, often based on limited perspectives and without the voice all parties affected.

In contrast, collaborative governance includes all involved parties, as equals, in the decision making process.

Collaborative governance crosses jurisdictional boundaries and builds its agenda and actions through consensus. The essential condition of collaborative governance is the creation and maintenance of trust. This requires undisputed respect and listening to both words and feelings. It takes time. It is not easy. It is a very special kind of leadership.

I have the privilege of being involved in two different organizations that have achieved impressive results using the collaborative governance model.

One is the International Joint Commission, the IJC, on which I am a commissioner. For almost 100 years, the IJC has been extraordinarily successful in preventing and resolving issues between Canada and the United States over transboundary rivers and freshwater resources all along the boundary, which passes through four of the five great lakes.

The other is Fraser Basin Council, on which I serve as chair. The Council, now its sixth year, is breaking new ground in putting collaborative governance into practice in meeting specific sustainability challenges in the Fraser River Basin.

Fundamental to knowing how these two organizations work, is how we, as a society, make decisions.

Many of us in the education and research communities believe that the essence of making decisions is the gathering and analyzing of hard data in support of a logical argument.

But Daniel Yankelovich reminds us that most people don't make decisions based solely or even largely on information. Information is important, but most of us make decisions on values.

Values are embedded and transmitted in the life stories and understandings that we share with family and friends and co-workers. Values tell us what is worth doing and protecting. Values are learned and can change—but the conditions for learning, changing and applying values in the decision making process are quite different from the conditions for learning and applying information. And that difference lies largely with how we respect and interact with others; and that difference is central to collaborative governance.

The Fraser Basin Council was created so that the people of the Fraser Basin could learn how different and competing interests—often embracing different values—can work together to solve the multiple and interconnected challenges of achieving sustainability.

The Fraser River and its main tributaries have never been damned, a fact critical to their continued status as the world's most productive salmon-producing river system. The Basin covers one-quarter of BC's land mass and is home to 2.7 million people. And it produces 80 percent of BC's economic output—and 10 percent of Canada's output. Our Basin is a beautiful, bountiful, and a relatively unspoiled part of the world. The Council's task is to help ensure its sustainability, for ourselves, and for future generations.

Our founding chair, Iona Campagnolo, framed the Council's primary challenge: "Our pursuit of sustainability is not challenged by our technical capacity, but by our capacity to work together effectively toward common goals." In other words, our capacity for collaboration.

And collaborate we did, to help resolve a 50-year dispute about reversing the flow of the Nechako River; and to help find the will and the means to stop North American's largest point source of metal pollution at the Britannia mine.

The Council is custom designed to enable this capacity for collaboration. The Council's Charter and Constitution are based on two sets of values that are key to achieving sustainability. The first set incorporates the fundamental principles and elements of sustainability: a healthy environment, social well-being, and a robust economy. The second set defines how the Council will work—the conditions by which we can learn and act upon values, namely:

1. Understanding and respecting the opinions of others.
2. Accepting all members as peers: at Council, we say, "Titles and egos are left at the door."
3. Seeking balance over extreme positions.
4. Taking action based on consensus.
5. Using all these elements to build trust among members.

These conditions are not easy to create nor are they always, if ever, completely present. But seeking to create them daily is the heart of the Council's culture.

The Council's make-up and *modus operandi* are expressly designed to support collaborative decision-making. Membership is inclusive. The Council's 36 directors include members from all four orders of government—local, first nations, provincial and federal—and from the private sector and civil society. These directors come from all regions of the Basin. The Council's professional staff is likewise located throughout the Basin. Local knowledge and initiative is absolutely fundamental to Council's work.

The Council makes decisions by consensus, which requires members to learn not only the facts on any issue, but also how different experiences, feelings, and values interpret any same set of "facts." Members learn to make decisions based on shared values and a commitment to find an acceptable, workable solution.

Furthermore, the Council was deliberately designed to have no formal authority. Rather, it was created on the assumption that a different, potent, and sustainable kind of governance emerges when diverse interests coalesce around core values, when consensus and joint action are chosen over confrontation and inaction.

Here is one example of what we, with partners, will soon work on:

There is a potential disaster in the making in the Fraser and Georgia Basins with regard to our fisheries. Fish—especially salmon—are natural transboundary transgressors. They push all the boundary buttons: salt and fresh water; federal, provincial, First Nations and local government jurisdictions; commercial versus sport fisheries; and development versus habitat protection.

In partnership with others, the Council will work to craft a solution that no one has yet attempted, namely, establishing a set of rules for the preservation and enhancement of the river basin's fish. In practical terms, this means bringing together all the diverse and competing interests throughout the river basin to develop and then uphold rules and regulations that will sustain our fisheries.

It is an ambitious undertaking. It is also abundantly clear that it must be done and that it can only be done collaboratively. In this part of the world, the deeply held economic, environmental, and social values associated with the fishery form part of our heritage—and our vision of what a future should be. The science will tell us our options, but shared values will lead us to the decisions that will sustain our fisheries.

The establishment of the International Joint Commission in 1909 as part of the Boundary Waters Treaty was no less ambitious. The Canadians and Americans who crafted the treaty embedded their values in the rules, structure, and process of the treaty and the Commission. They recognized the need to collaborate to prevent and resolve inevitable disputes over transboundary rivers and the fresh water resources all along the boundary.

The IJC has played important roles in the development of the Columbia River Treaty, in flood prevention in the Red River Valley, in the implementation of the Great Lakes Water Quality Agreement, and, for the past half century, in administering an IJC decision regulating the St. Lawrence River and Lake Ontario in the face of a wide range of competing interests in both countries.

In this last example, an IJC board has kept highly contentious and divisive issues off the diplomatic agenda and, for the most part, out of Parliament and Congress.

The IJC also looks at transboundary air issues both as they affect water and in their own right. And unless the two governments have concluded a special agreement authorizing a certain project that affects water flows in the other country, the project must be approved by the IJC.

There are governance similarities between the Council and Commission. The Commission is inclusive and equal, with three members from Canada and three members from the United States. A majority must approve all decisions so that both countries will be confident that their interests will be fully considered. The Treaty also requires that the Commission give all interested persons a convenient opportunity to be heard.

The Commissioners act neither as members of national delegations nor as representatives of the country that appointed them. They are required to make a solemn declaration that they will faithfully and impartially perform the duties imposed on them. I and other commissioners have taken this to mean that, as our mission statement says, we should pursue the common good of both countries as independent and objective advisors to the two governments.

Commissioners have taken their declarations seriously. I am aware of only two occasions in the more than 90 years since the Commission was created— and in the more than 100 cases that it has addressed—where the Commissioners split formally along national lines.

In conclusion, neither the IJC nor the Fraser Basin Council governance model is suitable for all situations. Both require time and considerable patience. But both demonstrate the potential of collaborative governance for transcending boundaries in pursuit of a common good.

Today, more than six million people live around Puget Sound and the Georgia Straight, which Parks Canada calls the "most at-risk natural ecosystem in Canada." Projections call for the Georgia Basin's population to grow considerable over the next decade.

How will we handle this growth? Will collaborative governance help us to make decisions that will protect transboundary ecosystems and move us toward sustainability?

However we work together, I would like to suggest we listen to the words Grand Chief Ed John: "People will work for a vision if they see themselves in it. And all the more, if they helped to create that vision."